

REMARKS

The above amendments and following remarks are responsive to the Office Action of December 22, 2004. Reconsideration of the application and a notice of allowance are earnestly solicited.

The Examiner has objected to the specification and requires that Applicant identify therein the means for varying the slot width recited in claims 1 and 2. Applicant has amended the specification to overcome the objection.

Claims 1-9 are pending and Applicant has amended the claims to conform with U.S. standards regarding transition phraseology and applicant has removed reference numerals from the claims. Similarly, Applicant has amended the abstract so that legal terms such as "said" and "means" and reference numerals are removed.

Applicant expresses appreciation to the Examiner for determining that claims 6-9 contain allowable subject matter and would be allowed if rewritten to include the limitations of the base claim and any intervening claims. Accordingly, Applicant provides herein new claims 10 and 11, where new Claim 10 contains the limitations of original claims 1, 5 and 6, and new Claim 11 contains the limitations of original claims 1, 4 and 9.

Claims 1-5 are rejected under 35 U.S.C. §102 (e) as being anticipated by

Clay (U.S. Patent No. 6,470,616). Applicant respectfully disagrees and provides the following traverse.

Pending Claim 1 recites a rifle stock having a housing sheath that includes a slot where the slot extends longitudinally the housing sheath. The claim also recites that the diameter of the housing sheath adjusts to the diameter of the barrel sleeve. The purpose of the adjustments is to allow the housing sheath to receive barrels of varying diameters.

Clay, in comparison, fails to teach a rifle that adjusts to the diameter of a barrel sleeve and Clay fails to consider an extendable slot that extends along the stock or a housing attached to the stock. Rather, Clay summarizes in column 4, line 35 et seq., a rifle that has a matching receiver and barrel, where the barrel connects with a thread of a predetermined, fixed size to the receiver. Clay discloses an adaptor that compensates for thread wear. The adaptor has screws that enable vertical and horizontal adjustment of the point of impact. The adaptor, as viewed in Figure 3, has a fixed diameter, is devoid of a longitudinal slot and cannot adjust to the size of different barrel diameters.

Accordingly, Clay fails to consider a structure that adjusts to the diameter of a barrel sleeve as recited in independent Claim 1 and, therefore, the rejection under section 102 (e) has been obviated. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631 (Fed. Cir. 1987) ("a claim is anticipated

only if each and every element as set forth in the claim" is found in the cited prior art reference).

Furthermore, Applicant provides the following argument against Clay. Clay illustrates in Figures 3 to 6 a rifle consisting of a rear stock 102 having a receiver 114, a barrel 112 having a connector 118 and a magazine 110. The connector 118 has a thread and the receiver 114 has a corresponding threaded bushing (not shown). The barrel 112 is screwed with the thread 118 into the receiver 114 to secure the barrel 112 thereto. The magazine 110 prevents the barrel 112 from detaching from the receiver 114.

The magazine 110 protrudes into a magazine opening 206. A lock 212 fixes the magazine tube 110 in the opening 206 and the lock 212 can shift transversely to the longitudinal axis of the barrel 112 in a groove. In the position of the lock 212 shown in Figure 3 of Clay, the magazine tube is fixed in the opening 206, so that the barrel 112 cannot be twisted. This means that the barrel 112 cannot be rotated when it is connected with the rear stock 102 in this position.

Clay also discloses in column 3, starting with line 24, an adapter 202 for fixing the a barrel 112 to the rear stock 102. The adapter comprises pins 209, which can be introduced into corresponding recesses 211. In order to ensure a firm wobble-free connection between the barrel and the rear stock, the distance

between the adapter 202 and the seating part 203 is changed by means of the screws 208 and 210. This means that the space between the adapter 202 and the seat 203 can be enlarged.

In comparing Clay with the recitations of pending Claim 1, the claim recites an extendable slot 12 which extends parallel to the longitudinal axis of the housing sheath 11. Clay, however, fails to teach a slot that extends parallel to the longitudinal axis but rather teaches the mentioned space between the two parts 202 and 203 which extends transversely to the long axis of the barrel. This space must be adjusted after each renewed assembly. On the other hand, the slot of the present invention has an opening that, once adjusted, retains its configuration once the barrel sheath 7 is accurately fitted and taken up by the housing sheath 11. According to the invention, the barrel sheath is locked with the housing sheath and by the catch head 21. This type of locking is not taught by Clay.


Docket No. F-7943

Ser. No. 10/658,835

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,

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